

1 JUDGE MARSHA J. PECHMAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,) NO. CR05-317-MJP
10 Plaintiff,)
11 vs.) ORDER ON STIPULATED MOTION
12 TAM VAN DANG and SANXAY) TO CONTINUE PRETRIAL MOTIONS
HANG XAYADETH,) FILING DATE AND TRIAL DATE
13 Defendants.)
14 _____)
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THE COURT having considered the stipulation of the parties, the records and files herein, and the motion for continuance of pretrial motions date, the Court hereby makes the following findings:

1. The Court finds that the period of time during which Mr. Xayadeth is being evaluated and treated is excluded from speedy trial calculations, pursuant to 18 U.S.C. § 3161(h)(1)(A).

2. The Court also finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

3. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial

1 preparation and that these factors outweigh the best interests of the public and the
2 defendants in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

3 IT IS THEREFORE ORDERED that the time within which pretrial motions must
4 be filed in this case is extended from August 11, 2006, to December 11, 2006, and the
5 trial date from September 18, 2006, to January 8, 2007.

6 IT IS FURTHER ORDERED THAT the time period between September 18,
7 2006, and January 8, 2007, is excludable time, pursuant to 18 U.S.C. § 3161(h)(1)(A),
8 (h)(8)(B) and (h)(8)(A), for the purposes of computing the time limitations imposed by
9 the Speedy Trial Act, 18 U.S.C. § 3161-3174.

10 DONE this 18th day of August, 2006.

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12 /S/Marsha J. Pechman
13 MARSHA J. PECHMAN
United States District Judge

14 Presented by:

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